

ENTERED

May 28, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

DANIEL RAY RAMIREZ,

Plaintiff,

V.

WARDEN HEAD,

Defendant.

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CIVIL ACTION NO. 6:24-CV-00044

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation ("M&R"). (D.E. 11). The M&R recommends that the Court dismiss this 28 U.S.C. § 2255 petition for lack of jurisdiction as second or successive. *Id.* at 1.


The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed.¹ When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 11).

Accordingly, the Court **DISMISSES** this case. (D.E. 1). The Court will enter a final judgment separately.

¹ The Court sent Petitioner the M&R by certified mail. (D.E. 12). After several weeks, the Court received the certified mail's receipt, confirming that Petitioner had received the M&R. (D.E. 13). Since then, Petitioner has not filed an objection. Accordingly, the Court considers the M&R ripe and ready to be ruled on.

SO ORDERED.

Signed: Corpus Christi, Texas
May 28th, 2025



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE